

DECEMBER 6, 2010

A Work Session Meeting of Mayor and Council was convened at 7:00 p.m. on December 6, 2010 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey stated that all resolutions and ordinances being considered at this meeting are available for the public to view on the front desk.

Mayor Dempsey related that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 22, 2009.

ROLL CALL: Present: Council Members Bossone, Connolly, Donovan, Grasso, and Lee

Absent: Council Member Lucas

Also present was Borough Attorney James Kinneally and Borough Administrator/CFO Joseph DeIorio

Council Member Donovan made a motion to amend the Agenda to add the discussion of the Water Treatment Plant Construction complaints, seconded by Council Member Bossone. Motion carried unanimously.

Council Member Donovan made a motion to amend the Agenda to add the Construction/Code time frame for permits discussion, seconded by Council Member Bossone. Motion carried unanimously.

***Construction/Code – time frame for permits discussion**

Council Member Donovan advised that permits are not being issued in a timely manner and one of the solutions that he would recommend is to give back Sandy Ratz his extra day. He suggested going out of the normal procedure to allow the audience to comment on this issue now.

Council Member Lee asked what is meant by running late, what is the window.

Council Member Donovan advised that when everything is done through the planning board, variances etc. it then goes to the construction/code official. The construction/code official has to review the plans and advise that the plans are sufficient and that they meet the codes. He advised that right now the reviews are taking 20 days which is what is statutorily allowed. He advised that the official is not breaking any law or statutes.

There was a discussion on when the construction/code official's hours were cut back.

Council Member Connolly made a motion to open the meeting up to the public, seconded by Council Member Lee. Motion carried unanimously.

AUDIENCE PARTICIPATION

Ron Langel, 177 First Ave. stated that he and a partner purchased 175 and are attempting to build on that property. He stated that he started in June and that he still is waiting for his permits. He went over the amount of permits that the Construction/code had last year and how much time it takes to approve permits.

There was a discussion on the time frame of the application from planning board to zoning to permits issued.

Mr. Langell stated that there is not enough time for Sandy Ratz to complete the reviews and inspections in a timely manner.

Council Member Grasso advised that he spoke to Patrick Callahan with regards to this matter. He advised that there are going to be some changes in the future.

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Mayor Dempsey asked the council if they thought that the day that was cut last year be restored.

Council Member Grasso stated that he does not think that that is necessary right now.

Mayor Dempsey asked if the building permits have increased to the point where that day needs to be placed back.

Council Member Grasso stated that he does not think so. He stated that the Borough has gone through a period from May through July that it has been quite. He advised that construction fees are coming in right now, if that means getting another temporary person, that is fine. There are reviews going on right now basically because of this conversation that we are having. He advised that adjustments will be made and brought to the council.

Mayor Dempsey stated that if Council Member Grasso is bringing up a temporary person, it would make more sense to give Sandy Ratz the one more day. If it slows down again, then take that day back. He stated that you have a qualified experienced guy.

Council Member Grasso stated that he is working with Patrick Callahan right now and would like to speak to the Administrator before making any decisions.

Council Member Donovan stated that the suggestion to add back a day to Sandy Ratz is exactly that a suggestion. He believes that it is something that should be discussed during the budget hearings in January.

Council Member Grasso stated that once Patrick Callahan has everything lined up they will sit down with the Administrator and see what he has to present.

Mayor Dempsey asked Council Member Grasso how many plans are backed up?

Council Member Grasso stated that this is the first time that he is hearing about it. He stated that he went to see Patrick Callahan first about Sandy. He advised that Mr. Callahan is working on it to make a proper presentation to me. He stated that this is the first time that he is hearing about any problems with contractors from January 1st of this year to December 2 or 3.

Council Member Donovan stated that there have been several other contractors who have also voiced their concern.

Council Member Grasso stated that the contractors can come to the Code Inspector which is me or Pat.

Mayor Dempsey asked Council Member Grasso to meet with his committee and meet with Pat and give a report at the next meeting.

Council Member Grasso advised that he would have a report ready for the next meeting.

ITEM #1 Follow up – Scat Agreement

The Borough Administrator advised the Council what Scat is, what they do and how much we pay. He advised council that it costs the Borough \$62 a week for a half day trip for food shopping. He advised that a letter was sent to 32 households that would qualify for this service. He stated that out of the 32 households there was one response from a couple and they would be interested in it and they do not participate right now.

The Borough Administrator advised the council on a voucher system that would be cheaper than what the Borough pays now. He stated that there was an ad in the Coast Star explaining the program.

Council approved for the Borough Administrator to check with the County to see if they would be in acceptance of the voucher system.

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The Borough Administrator advised that he would bring feed back from the county to the meeting of December 20, 2010.

There was a discussion on where it should be advertised.

ITEM #2 Taxi Ordinance – discussion

Council Member Connolly asked for clarification from Borough Attorney Kinneally of certain wording in the Taxi Ordinance. Mr. Kinneally advised that if the council wishes to change the wording it can be done by council's approval. He also stated that he did not write this ordinance that he just put it in form with chapter numbers that are consistent with our ordinance code.

Mayor Dempsey asked about N.J.S.A.48-16-2 states that it is \$50 to operate a taxi.

Council Member Grasso stated that the Chief did send that but that he took also into consideration what Belmar, Sea Girt and some of the other towns are doing and their fees are higher. He stated that it is up to the Council if they want to keep it at \$50 or raise the fees. He stated that when he did the comparison the fees in the surrounding towns was higher then \$50.

Mayor Dempsey stated that N.J.S.A. 48-16-2 limits the municipality fee to \$50. He stated that that is a state statute and he doesn't care what the other towns charge he will not break the law.

Council Member Connolly stated that there might be some discretionary judgment.

Council Member Donovan stated that the statute reads for a town under 20,000 residences in a class 1 county you can only charge \$50 for a license fee.

Mayor Dempsey asked if the issues that the Chief of Police has have been straightened out.

Mr. Kinneally stated that nothing has been changed since the draft ordinance went out the Wednesday before thanksgiving. Subsequently the Chief issued his memo and at this point Mr. Kinneally stated that he can not just make the changes that he needs guidance from the Council.

There was a discussion on how certain items got into the ordinance without it being reviewed by the Police Chief.

Council Member Donovan suggested that the ordinance and the Chief's concerns go back to the attorney for revision. He stated that it can not be introduced tonight because it is incomplete.

Council Member Donovan made a motion for the attorney to revise the taxi ordinance including the Chief of Police's recommendations, seconded by Council Member Grasso. Roll call was taken and the motion carried unanimously.

Borough Administrator DeIorio advised that Mr. Kinneally can make the revisions based on the Chief's memo but based on those memos there are some policy decisions that need to be made by the governing body. He advised that Mr. Kinneally will go as far as he can with what he can revise based on state statute. He stated that Mr. Kinneally will have to come back to the governing body to get some policy decisions.

COMMITTEE REPORTS

Public Works Committee - Council Member Donovan stated that he wanted to address some of the complaints at the Water Treatment Plant. He stated that Mr. Gimmel is in the audience tonight. He stated that the contractor is putting in a chlorine contact tank that is in the ground, 17' deep behind the new construction of the building of the water

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treatment plant. In order to do that, the water table is very high in that area so they have to de-water the ground before they can excavate fully. They have gotten down about 10', installed approximately 30 well points, large diesel operated pump to pump the water out. The complaints were about noise and fumes. We went immediately to T&M Associates and Patock Construction and they made some adjustments. They built an enclosure around the pump to try and keep the noise down. They increased the size of the exhaust pipe the height to make sure the fumes did not get in the house. Apparently the neighbors were still hearing the noise and complained about.

Joe Gimmel from T&M Associates stated that Council Member Donovan explained exactly what is going on. He reiterated what Council Member Donovan had said. He stated that de-watering the ground needs to continue until such time the excavation is complete and the tank is installed. He advised that he spoke to the contractor today and that it is anticipated that the work will be completed either by the 15th or 17th sometime next week. He stated that he also spoke to the contractor and asked them to investigate to see if there are any additional measures that can be taken to minimize the noise as well as the exhaust. A baffle has been installed around the pump, installed sound proofing and that has diminished some of the noise.

Council Member Donovan asked for confirmation that the excavation is going to be 17' deep, pour a concrete pad, and the tank is mounted on the pad.

Mr. Gimmel stated that the purpose of the pad is to protect the tank from floatation. He stated that because of the ground water conditions that when empty below ground will float.

There was a discussion on the tank and the time frame.

Council Member Donovan stated the sanders and snow plows are ready to go. He advised that leaf pickup is proceeding smoothly. He requested that residence park their vehicles away from the leaves so it will be easier for the DPW to pick them up.

Beach Committee – Council Member Bossone advised that beach badges and parking stickers are on sale at Borough Hall. He advised that in the 4 days of sales the Borough has brought in \$54,717 for the parking stickers and badges. He stated that the sale of beach badges and parking stickers will be ongoing at Borough Hall until December 31, 2010 during normal business hours. He advised that the Beach Committee will be meeting tomorrow with the DEP for the CARFA permit and Beach Maintenance that has been ongoing for a few years. He stated that Micropave has completed the sealing of the cracks along the black top walkway. He stated that dogs are allowed on the beach on a leash and you must pick up after your dog. He advised that there was a record 1800 gifts that were given out at the Candy Cane Hunt. He estimated that 4,000-6,000 people came into town for those 2 to 3 hours. He wanted to thank everyone that had any involvement in this event. He advised that this coming Sunday will be the Tourism's Christmas in Manasquan. This event will be based in front of Manasquan Lighting. Santa Clause, refreshments, music and a hayride from noon to 3 p.m. The rain date is the following Sunday same time. He stated that Life is Good Day will be celebrated at the High School on Friday for the second year in a row. He advised that it was a great success last year. He recognized the entire High School staff which will be involved in this event. He made a special thank you to Chryseis Apostolou and Jamie Congilose the advisors for this event.

Parks and Public Property - Council Member Lee had a personal thank you to Melissa Gaffney of the Coast Star. He thanked her for her diligent work and wished her all the best. In reference to NJ Transit he thanked the Administrator for his help and advised that he has met with the owner of the train station. He advised that it is difficult to get a meeting with NJ Transit representative. He advised that NJ Transit was looking to generate additional revenue by subletting the parking that they own. He stated that in his opinion that it is not a good thing for Manasquan residents at all. It is a money grab from NJ Transit. He stated that it would impact the quality of life for those residents near by. He stated that the 15th is a potential date for a meeting. He will bring more information back at the next meeting. He thanked John Keynton for meeting with Squan Plaza

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Fountain. He also thanked Mike O'Boyle on Ocean Avenue who has taken a great leadership role to bring the Elks, VFW, the town all in an effort to try and get the fountain going again. He advised that the fountain was working at the end of the year. He stated that a new pump is definitely needed. He advised that they are looking for the spring to be up and running. He advised that the Coast Guard Station target date is the 19th. He advised that he should be able to report on the 20th. The geese control was sent to a committee and they advised that the proposal that was received should be run through the Borough's risk department to make sure they had no concerns. He advised that this proposal is specific to Mac's Pond. He stated that he is looking at other ways that might be used in the other areas of the Borough.

Administration and Finance Committee – Council Member Connolly stated the bills were reviewed and signed by the Committee. She stated that they totaled \$2,950,628.66. She read the break down of the payment of bills. She also stated that the bills are on the front desk if anyone would like to review them. She advised that a fact finding session will be held on Friday between the Union representing the clerical and office workers and the Borough. She advised that she is hoping to come to an understanding with that union. She wished farewell to Melissa Gaffney of the Coast Star.

Law and Code Committee – Council Member Grasso stated that the November figure for the Code and Law was \$21,000. He stated that it was a real big spike since there is a lot of work being done in district 3 and 4. He stated that for December there is already \$12,000 in. He stated that the work that Patrick Callahan and his group are doing has been excellent and has gotten good reviews. He stated that the department might even break even for the year for the first time in many years.

AUDIENCE PARTICIPATION

Council Member Connolly made a motion to open the meeting up to the public, seconded by Council Member Lee. Motion carried unanimously.

Lia Trench, 444 East Main Street stated that other towns are under the SCAT Agreement. She stated that perhaps the County could take some money and do an ad in a local newspaper and include all the municipalities that are using the SCAT bus and drum up some business for it themselves and let the county pay for the ad instead of the municipalities. She asked the Beach Committee what the ship was doing out near the beach.

Council Member Donovan stated that it is a dredge for cable.

Council Member Connolly made a motion to close the public portion, seconded by Council Member Lee. Motion carried unanimously.

Council Member Donovan made a motion to adjourn the work session, seconded by Council Member Bossone. Motion carried unanimously.

The closed session portion of the minutes begins on the next page. The signature and approval date are located on the last page following the closed session meeting minutes.